

**RESPONSES TO THESE QUESTIONS WILL BE MADE PUBLIC  
IF THE APPLICANT IS SELECTED AS A NOMINEE.**



NAME: Theresa Counts Burke

pal occupation: Associate Circuit Judge  
22<sup>nd</sup> Judicial Circuit

- (a) Are you at least 30 years of age? Yes
- (b) How long have you been a citizen of the United States? 50 years
- (c) How long have you been a resident of the City of St. Louis? 28 years
- (d) How long have you been a qualified voter of Missouri? 28 years
3. For each jurisdiction in which you are or have been licensed to practice, state:
- (a) Name of Jurisdiction Missouri
- (b) The date you were admitted to the bar, and, if applicable, ceased to be a member of that bar: and May 16, 1989
- (c) Your bar number 36965
- (a) Name of Jurisdiction Illinois
- (b) The date you were admitted to the bar, and, if applicable, ceased to be a member of that bar, and 1990 until 2009
- (c) Your bar number 06200410

4. State the name and address of each post-high school educational institution you have attended, together with the dates and any degree received:

Southern Illinois University at Edwardsville  
State Route 157  
Edwardsville, IL 62026  
Attended August, 1983 to August, 1985  
Bachelor of Arts degree in Political Science

St. Louis University School of Law  
3700 Lindell Blvd.  
St. Louis, MO 63108  
Attended August, 1985 to December, 1987  
Juris Doctoris degree

Washington University in St. Louis School of Law  
One Brookings Drive  
St. Louis, MO 63130-4899  
Attended October, 2006  
Civil and Family Mediation Training

National Judicial College  
Judicial College Building/MS 358  
Reno, NV 89557  
Attended October, 2009  
General Jurisprudence

5. List each position of employment you have held, beginning with your earliest, including non-legal employment and for each state:
- (a) The name and address of the employer:
  - (b) The position(s) you held:
  - (c) The dates of employment;
  - (d) Whether the employment was full, part-time, or seasonal; and
  - (e) The reason(s) the employment ceased.

JD Hudson Fine Jewelers	June, 1983 to August, 1985
19 <sup>th</sup> and State	Sales Clerk
Granite City, IL 62040	Part-time
I resigned this position when I started law school.	

Callis & Hartman (Pratt & Callis)	May, 1986 to December, 1986
1326 Niedringhaus	Law Clerk
Granite City, IL 62040	Part-time
I resigned this position to become a clerk at Summers, Compton, Wells & Hamburg, P.C.	

Summers, Compton, Wells & Hamburg, P.C.	January, 1987 to May, 1988
8909 Ladue Road	Law Clerk
St. Louis, MO 63124	Part-time

I was hired by the firm to the position of Associate Attorney.

Summers, Compton, Wells & Hamburg, P.C.	May, 1988 to August, 1994
8909 Ladue Road	Associate Attorney
St. Louis, MO 63124	Full Time

I resigned this position to start my own law firm.

Theresa Counts Burke, Attorney at Law	August, 1994 to December, 2008
1370 McCausland Ave.	Solo Practitioner
St. Louis, MO 63117	Full time

I closed my practice when I was appointed to the position of Associate Circuit Judge.

City of St. Louis	July, 2001 to December, 2008
Municipal Court Judge	Provisional Judge
1520 Market Street, Suite 1120	Part-time
St. Louis, MO 63103	

I resigned my position when I was appointed to the position of Associate Circuit Judge.

Fontbonne University	January, 2007 to 2012
6800 Wydown Blvd.	Adjunct Professor
St. Louis, MO 63105	Part-time

I stopped taking teaching assignments in order to devote more time to my family.

State of Missouri	December, 2008 to Present
22 <sup>nd</sup> Judicial Circuit	Associate Circuit Judge
10 N. Tucker Blvd.	Full Time
St. Louis, MO 63101	

6. If you have served as a judge or commissioner, identify up to five significant cases over which you presided to completion. Set forth the style, cause number, date and name and current address of the primary attorneys participating in each case, identifying the party each attorney represented. Indicate whether bench or jury tried and give a one to three sentence description of each case and its outcome.

Case Style:	<u>The Fletcher Company v. Midwest Construction and Development Corporation, LLC, et al</u>
Cause No:	1422-AC13666
Date of Trial:	03/12/2015
Plaintiff's Attorney:	Richard Magee 8000 Maryland Ave., Suite 1300 Clayton, MO 63105
Defendants' Attorney:	Richard Hughes 4144 Lindell Blvd., Suite 221 St. Louis, MO 63108
Type of Trial:	Bench
Description:	Plaintiff, a subcontractor, filed his Petition for Mechanic's Lien and Breach of Contract. Defendants filed a Counterclaim alleging defects in performance and damage to the property. A judgment was entered in which it was found that Plaintiff was entitled to a Mechanic's Lien for the remaining contract amount, after deduction of amounts relating to defects in performance.

Case Style:	<u>State of Missouri v. Donald Jackson</u>
Cause No:	1122-CR01767-01
Date of Trial:	7/24/12 - 7/25/12
Circuit Attorney:	Sarah Mease 1114 Market Street, Suite 401 St. Louis, MO 63101
Defendant's Attorney:	Scott Rosenblum 120 S. Central, Suite 130 Clayton, MO 63105
Type of Trial:	Jury
Description:	Defendant was charged with Possession of a Controlled Substance except 35 grams or less of marijuana (a Class C Felony with sentencing enhanced to B Felony level) and Possession of up to 35 grams of marijuana (a class A Misdemeanor). At trial, the Jury found Defendant guilty of both charges. Defendant was sentenced to a term of years in the Missouri Department of Corrections pursuant to Section 559.115.

Case Style: State of Missouri v. O.S.  
Cause No: 1122-CR03268-01  
Date of Trial: 4/10/12 - 4/11/12  
Circuit Attorney: Rochelle Woodiest  
1114 Market Street, Suite 401  
St. Louis, MO 63101  
Defendant's Attorney: Sarah Johnson  
Public Defender's Office  
1114 Market Street, Suite 602  
St. Louis, MO 63103  
Type of Trial: Jury  
Description: Defendant was charged with Stealing Communication Wire (a Class C Felony) At trial, the Jury found Defendant not guilty.

Case Style: Charletta Coney v. The Israel of God Church and Reverend James Gillespie  
Cause No: 1122-AC01586  
Date of Trial: 4/30/12  
Plaintiff's Attorney: Linda Jarman  
4200 N. Union, Suite 125  
St. Louis, MO 63115  
Defendant's Attorney: Gary Long  
211 N. Broadway, Suite 2500  
St. Louis, MO 63102  
Type of Trial: Jury  
Description: Plaintiff fell while in attendance at a service at The Israel of God Church. She filed suit against the Church and Reverend Gillespie, the pastor of the Church, for injuries she sustained in the fall. The jury returned a verdict finding Plaintiff 100% at fault for the accident.

Case Style:	<u>C.W. v. J.D.</u>
Cause No:	1022-FC00459
Date of Trial:	1/3/11
Petitioner's Attorney:	Marie Kenyon 321 N. Spring Ave. St. Louis, MO 63108
Respondent's Attorney:	Edward (Ted) Luby 1221 Locust, 10 <sup>th</sup> Floor St. Louis, MO 63103
Guardian ad Litem:	Bruce Hilton 1099 Milwaukee, Suite 260 Kirkwood, MO 63122
Type of Trial:	Bench
Description:	The parties were seeking an order under the Uniform Parentage Act that Petitioner was the father of the minor child. The parties also requested orders regarding the custody and support of the minor child. After trial of the issues, the Court entered a Judgment of Paternity which set forth orders on all issues in the case.

7. List up to ten cases which you have tried as either first or second chair. Set forth the style, cause number, date, and court, and identify who you represented, whether you were first or second chair, and the name and address of opposing counsel. Indicate whether each case was bench or jury tried and provide a one to three sentence description of each case and its outcome.

See attached.

8. List up to ten appeals or writs before appellate courts which you have briefed or argued. Set forth the style, cause number, date, and court, and identify who you represented, whether you briefed, argued or both, and the name and address of opposing counsel. Provide a one to three sentence description of each case and its outcome.

See attached.

9. Have you ever been convicted of a misdemeanor or felony? No

If yes, provide details, including the style of the case, cause number, name of the jurisdiction, and date of conviction:

10. Have you ever been a party to any litigation, other than as guardian ad litem, plaintiff ad litem or defendant ad litem? Yes

If yes, identify the style of the case, cause number, name of the jurisdiction and the approximate year in which such litigation was commenced and in which it was terminated, and provide a one to three sentence description of the case and its outcome:

See attached.

11. Have you ever been investigated, disciplined or cited for breach of ethics or professional conduct by a court, bar association or any office or committee thereof? No

If yes, provide details:

12. Have you ever been held in contempt of court? No

If yes, provide details:

13. If you are or were a member of the Judiciary of the State of Missouri, please state:

- (a) Whether an order of reprimand, removal, retirement, suspension or other disciplinary action has ever been entered against you by the Supreme Court of Missouri for breach of the Code of Judicial Conduct or the Canons of Judicial Conduct?

If yes, state the nature of such breach, the date discipline was imposed and the exact nature and duration of the discipline imposed: No

- (b) Whether a reprimand or admonishment has ever been entered against you by the Commission on Retirement, Removal and Discipline for any of the causes specified in Rule 12.07 of the Supreme Court Rules Governing the Judiciary.

No

If yes, provide details including date the order was entered, the date of your consent, and a description of the conduct you were ordered to cease and desist:

- (c) Whether, to your knowledge, you have been a subject of a complaint and investigation by the Commission on Retirement, Removal and Discipline, which did not result in any action by the Commission? If yes, provide details:

In 2011, a divorce litigant filed a complaint indicating that at a status conference I had ordered him to "drop criminal charges" that had been filed by the St. Louis Circuit Attorney's Office against his Wife. Husband was the complaining witness to the alleged crime. During the investigation by the Commission, both I and the litigant's attorney confirmed that I had not made such an order. It was revealed that at the status conference Wife's attorney had asked me to order same, however, I had advised the parties that I could not and would not make such an order. I further indicated that the decision to prosecute a crime rests solely with the Circuit Attorney. The Commission found no probable cause to proceed with the matter and it was closed.

14. List all bar associations and other professional societies, of which you are a member, with any offices held and dates:

22<sup>nd</sup> Judicial Circuit Committees – Current Assignments

Weighted Workload Committee (Chair)  
Advisory Committee to the Presiding Judge (elected by peers)  
Presiding Associate Circuit Judge (elected by peers)  
Legislative Committee

Missouri Supreme Court Committee for Access to Family Courts (2009 to present)  
Co-Chair of Forms Sub-Committee (current)

Missouri Supreme Court Centralized Fine Collection Bureau Committee  
(2015 to present)

Women Lawyers Association; (2007 to present)  
Mentor for Young Lawyer (2011-2014)

The Missouri Association of Probate and Associate Circuit Judges; (2008 to present)

Missouri Municipal and Associate Circuit Judges Association; (2001 to 2014)

Mental Health Jail Diversion Program Steering Committee (2007 to 2008)

Founding Member and Board Member of Lawyers for Kids, LLC., a Not-For Profit Corporation (Previously known as Friends of Heritage House, Inc. (2000 to 2008)

Downtown Community Court Operations Committee, (Co-Chair from 2002-2004)

Committee Member of Angel Tree, a program sponsored by the Bar Association of Metropolitan St. Louis (1997-2004)

15. Describe your community activities, including any organizations, not listed above, with which you are affiliated:

Honoree – St. Louis University School of Law Women Law Students' Association  
(April, 2014)

Certificate of Appreciation – Gravois Park Neighborhood Association (2014)

Parent Teacher Organization of Community School (2009-present)  
Grade Chair for Grade 4 South (2014-2015)  
Grandparents Day Committee Member (2011-present)



Family Violence Council, Guest Speaker (2010)

Boy Scouts of America, Guest Speaker (2008-2010)

St. Louis Metropolitan Police Department

Guest Lecturer on Orders of Protection (2011)

Trainer for Community Intervention Teams (2008)

#### Speaker at Legal Seminars

Women Lawyer's Association Seminar (2015)

Missouri Court Clerk's College (2014)

St. Louis University School of Law Women Law Students' Association,  
(2013 – 2015)

11<sup>th</sup> Annual Family Law Conference, Child Support Contempt (2011)

BNI – Family Law Conference (2011)

BAMSL – Family Court Judges (2010)

Missouri Child Support Enforcement Association Conference (2010)

BAMSL – College Issues in Family Law (2010)

#### Volunteer Service at Area Law Schools and High Schools

Read Across America, Hamilton School (2016)

Missouri Baptist University Constitution Day (2015)

Aim High St. Louis (2015)

St. Louis University School of Law, Lunch with a Judge (2015)

St. Louis University School of Law, Guest Speaker (2012)

Community School, Guest Speaker (2010-2015)

Williams Ninth Grade Academy, St. Louis City Public Schools,  
Guest Speaker (2006)

Roosevelt High School, St. Louis City Public Schools,  
Guest Speaker (2006)

St. Peters Elementary School, St. Peters, MO, Guest Speaker (2007)

Highland Elementary School, Highland, IL, 6<sup>th</sup> Grade, Mock Trial  
Community Liaison and Field Trip Coordinator (2006)

#### Other Honors

22<sup>nd</sup> Judicial Circuit Clerk Training: In conjunction with Circuit Clerk Tom Kloeppinger, I have created a training program for the clerks of the 22<sup>nd</sup> Judicial Circuit. This program consists of a monthly presentation on various areas of law. We have presented 6 programs thus far and have another scheduled for April, 2016.

SIUE: I was selected by Southern Illinois University at Edwardsville to be an Interviewer and Evaluator for the 2015 and 2016 Meridian Scholarship Selection Process. The Meridian Scholarship is the successor to the Presidential Scholarship which I received while attending SIUE.

Domestic Violence Summit: At the invitation of Missouri Supreme Court Judge Mary Rhodes Russell I participated in a statewide Domestic Violence Summit in May of 2015.

Judicial Leadership Summit: I have been invited by Missouri Court of Appeals Judge Lawrence Mooney to participate in the Judicial Leadership Summit scheduled for April of 2016.

Judicial Education Committee: At the invitation of the Missouri Supreme Court Trial Judge Education Committee I attended the National Judicial College course "Presenting Courses Effectively: A Faculty Development Workshop" in March of 2016. This course was by invitation only for 18 Judges from the State of Missouri to improve their presentation and teaching skills. Those successfully completing the course will be integrated into the statewide educational system used to provide continuing legal education to Missouri Judges.

Civic Education Committee: I have been invited by the Missouri Supreme Court Civic Education Committee to perform community presentations of programs developed by the Committee and have been asked to act as support to assist other Judges who are interested in presenting these programs.

16. Do you now hold or have you ever held any elective or appointive public office or position?  
Yes

If yes, provide details:

City of St. Louis  
Municipal Court Judge  
July, 2001 to December, 2008  
Appointed by St. Louis City Mayor Francis Slay

22<sup>nd</sup> Judicial Circuit  
Associate Circuit Judge  
December, 2008 to Present  
Appointed by Governor Matt Blunt

17. Provide the branches and dates of (a) military service, or (b) other public service, not otherwise covered in this application. If discharged from the military, was the discharge other than honorable? If military service continues, so state: N/A
18. List any professional articles or books which have been published or any special recognition or award of a professional nature which you have received:

Author of "Frivolous Appeals", The St. Louis Bar Journal, Winter 1993,  
39 St.L.B.J. No. 3 p.22

19. Furnish the name, address, telephone number and email address of up to five individuals, who are not judges, as references with respect to your judicial qualifications:

Marie Kenyon  
Director, Peace & Justice Commission  
Associate General Counsel  
Archdiocese of St. Louis  
20 Archbishop May Drive  
St. Louis, MO 63119  
314-792-7062  
mariekenyon@archstl.org

Gregory Kloeppe  
Chief Legal Counsel  
Eastern Missouri Coalition of Police  
Fraternal Order of Police, Lodge 15  
9620 Lackland Road  
St. Louis, MO 63114  
314-423-8003  
greg.kloeppe@mofop15.org

Lisa Faulstich  
The Faulstich Law Firm, P.C.  
7777 Bonhomme, Suite 1600  
Clayton, MO 63105  
314-260-7823  
lfaulstichatty@gmail.com

Richard Ulrich  
Summers, Compton, Wells, P.C.  
8909 Ladue Road  
St. Louis, MO 63124  
314-991-4999  
rulrich@summerscomptonwells.com

Alan Baker  
2026 South Big Bend Blvd.  
St. Louis, MO 63117  
314-202-8814

25. Set forth any additional information that demonstrates the quality of your legal work, or which you believe to be relevant.

Prior to taking the bench as an Associate Circuit Judge, I practiced law for 20 years. My law practice primarily handled litigation matters, including civil litigation, domestic relations, criminal law and administrative law. I appeared at all levels of the Missouri court system, the Federal District Court and the Eighth Circuit Court of Appeals. I also represented indigent prisoners on appeal under appointment from the Eighth Circuit Court of Appeals through the filing of a Writ of Certiorari with the United States Supreme Court. I was honored when the United States Court of Appeals, 8<sup>th</sup> Circuit, recognized my work in a written opinion:

We express our appreciation to Court-appointed counsel for her zealous efforts on Carr's behalf in this appeal. U.S. v. Carr, 67 F3d 171, 176 (CA8(MO) 1995).

During my first seven (7) years as an Associate Circuit Judge I have spent two years in civil divisions, two years in a family division and three years in criminal divisions. I am currently assigned to a criminal division. These rotations have allowed me to preside over trials in all areas of the law. I have presided over civil jury and non-jury trials, misdemeanor jury and non-jury trials, felony jury and non-jury trials, divorce trials, paternity trials and adult abuse/child protection trials. I have presided over more than 30 jury trials. Those trials included felonies, misdemeanors and civil actions. In addition, I have handled motions in all fields of the law, including civil summary judgment motions and criminal motions to suppress and preliminary hearings. In addition, I have accepted guilty pleas and assessed sentence in numerous misdemeanor and felony cases. This wide array of experience has prepared me for whatever task is assigned to me at the 22<sup>nd</sup> Judicial Circuit.

My 7 years as a Municipal Judge for the City of St. Louis and my 7 plus years as an Associate Circuit Judge have allowed me to preside over trials and analyze cases from the viewpoint of the trier of fact as opposed to the advocacy aspect of representing a client. I have, among other things, had to judge the credibility of witnesses, decide innocence or guilt, determine complex custody and property division issues, decide motions, sentence parties to a term of imprisonment, set bond amounts, approve search and arrest warrants, assign parties to treatment programs, assign parties to probation and determine whether they have violated the terms of that probation.

Throughout my time on the bench I have worked successfully with numerous court personnel to insure that the public and their legal representatives are provided a fair and impartial review of their matters. I would continue to do the same if selected to the position of Circuit Judge for the 22<sup>nd</sup> Judicial Circuit.

#### Authorization

By my signature to this application, I authorize: (1) the Commission by its chairperson to obtain relevant information, including but not limited to documents, records and files with respect to my police or disciplinary records, and (2) the Commission and its members to obtain additional relevant information regarding my qualifications as well as the accuracy of my responses to the questions on this application, with the understanding that the information described in (1) and (2) above is available only to the members of the Twenty-Second Circuit Judicial Commission. Notwithstanding the above, in accordance with Supreme Court Rule 10, as amended effective February 29, 2008, if I am one of the three nominees listed on the certificate of nomination sent to the Governor, I authorize the Commission to send a complete copy of this application to the Governor and publicly release a copy of the application with personal and confidential information redacted as identified on the cover page of this application.

Attachments

7. List up to ten cases which you have tried as either first or second chair.

Case Style: Michele Eveland n/k/a Peretti v. Jerry Eveland  
Cause No.: 973-4254  
Court: St. Louis City Circuit Court, Division 15  
Date: 5/15/03  
Represented: Petitioner Michele Eveland n/k/a Peretti  
First Chair  
Opposing Counsel: Theodore D. Dearing  
211 S. Central Ave.  
St. Louis, MO 63105  
Bench or Jury: Bench, Judge Mark H. Neill  
Description: Respondent filed a Motion to Modify Petitioner's award of maintenance. Petitioner argued that said award was a property division, not subject to modification. A Judgment was entered finding said award to be a property division.

Case Style: Christine Martchink v. Jeffery Martchink  
Cause No.: 03FC-124354  
Court: St. Charles County Circuit Court, Division 9  
Date: 8/18/03  
Represented: Petitioner Christine Martchink  
First Chair  
Opposing Counsel: Reginald P. Bodeux, III  
131 Jefferson .  
St. Charles, MO 63301  
Guardian ad Litem: Steven W. Neimeyer  
1100 Town & Country Commons Drive  
Chesterfield, MO 63006  
Bench or Jury: Bench, Commissioner Elizabeth Swann  
Description: Petitioner filed a Petition for Dissolution of Marriage. The matter was tried as to property division and debt. A Decree of Dissolution was entered.

Case Style: William Sidwell v. Terry Scholtes  
Cause No.: 03AC-15371  
Court: St. Louis County Associate Circuit Court, Division 31  
Date: 10/28/03  
Represented: Defendant Terry Scholtes  
First Chair  
Opposing Counsel: William Sidwell, Pro Se  
Bench or Jury: Bench, Judge Barbara Ann Crancer (Visiting Judge Mitchell)  
Description: Plaintiff filed a claim against Defendant seeking unpaid rent and late fees. Defendant filed a counter-claim for return of his security deposit and damages. Judgment was entered in favor of Defendant and against Plaintiff on all claims.

Case Style: State of Missouri Child Support Enforcement and Marcie Beelek v. Delbert Horn  
Cause No.: 99FC-124261  
Court: St. Charles County Circuit Court, Division 4  
Date: 4/6/04  
Represented: Respondent Delbert Horn  
First Chair  
Opposing Counsel: Emily Blood Kaiser  
Attorney for Petitioner Marcie Beelek  
1148 S. Benton St.  
St. Charles, MO 63301  
  
John Keath  
Attorney for Missouri CSE  
3737 S. Harry S. Truman Blvd, Suite 200  
St. Charles, MO 63301

Jeffrey M. Skoglund  
Attorney for Intervener St. Charles County  
100 N. Third Street  
St. Charles, MO 63301  
Guardian ad Litem: Kevin L. Wibbenmeyer  
211 N. Third Street  
St. Charles, MO 63301  
Bench or Jury: Bench, Commissioner Norman C. Steimel, III  
Description: Respondent filed a Motion to Modify requesting a change in custody. The change in custody was granted.

Case Style: Carrie Overstreet v. Stephen Overstreet  
Cause No.: 04FC-005305  
Court: St. Louis County Circuit Court, Division 35  
Date: 4/25/05  
Represented: Petitioner Carrie Overstreet  
First Chair  
Opposing Counsel: W. Scott Pollard  
1034 Pebble Beach Drive  
O'Fallon, MO 63366  
Bench or Jury: Bench, Judge Thea Sherry  
Description: Petitioner filed a Petition for Dissolution of Marriage. The matter was tried as to child custody, visitation and support, property division and maintenance. A Decree of Dissolution was entered.

Case Style: Jane Michaelree v. Joseph Michaelree  
Cause No.: 003-03207  
Court: St. Louis City Circuit Court, Division 15  
Date: 7/29/05  
Represented: Petitioner Jane Michaelree  
First Chair  
Opposing Counsel: Robert Hamilton  
2016 S. Big Ben Blvd.  
St. Louis, MO 63117  
Bench or Jury: Bench, Judge Thomas J. Frawley  
Description: Petitioner filed a Motion to Modify custody and visitation of the parties' minor child. A Modification Judgment was entered.

Case Style: Kyong Davis v. Tyrone Davis  
Cause No.: 99FC-005526  
Court: St. Louis County Circuit Court, Division 35  
Date: 10/3/05  
Represented: Petitioner Kyong Davis  
First Chair  
Opposing Counsel: Glen Gammill  
1088 Greystone Manor Parkway  
Chesterfield, MO 63005  
Bench or Jury: Bench, Judge Thea Sherry  
Description: Respondent filed several garnishments in an attempt to collect maintenance allegedly due. Petitioner filed motions to quash said garnishments, objecting to the amount claimed by Respondent. Judgment was entered specifying the actual amount due by Petitioner to Respondent.



Case Style: Dennis Cordia v. Patricia Cordia  
Cause No.: 2105FC-7215  
Court: St. Louis County Circuit Court, Division 65  
Date: 5/18/06  
Represented: Petitioner Dennis Cordia  
First Chair  
Opposing Counsel: Greg L. Roberts  
215 Chesterfield Business Parkway, Suite A  
Chesterfield, MO 63005  
Bench or Jury: Bench, Commissioner Phillip E. Jones, Jr.  
Description: Petitioner and Respondent filed cross-Petitions for Dissolution of their marriage. Judgment of Dissolution was entered dividing the property of the parties and denying Respondent's requests for maintenance and attorney fees.

Case Style: David Davis v. Jamie Parker  
Cause No.: 2107FC-02457  
Court: St. Louis County Circuit Court, Division 16  
Date: 8/13/07  
Represented: Petitioner David Davis  
First Chair  
Opposing Counsel: Jamie Parker, Pro Se  
Guardian ad Litem: Rene' Lusser  
400 N. 4<sup>th</sup> Street, Suite 2410  
St. Louis, MO 63102  
Bench or Jury: Bench, Judge Michael Burton  
Description: Petitioner filed a Paternity action in conjunction with a child endangerment action filed in Juvenile Court against Respondent. Custody of the minor children was awarded to Petitioner's mother in accordance with requests of Petitioner.

Case Style: David Kuithe v. Holly Hanselman  
Cause No.: 07SL-DR344  
Court: St. Louis County Circuit Court, Division 61  
Date: 12/20/07  
Represented: Petitioner David Kuithe  
First Chair  
Opposing Counsel: Holly Hanselman, Pro Se  
Guardian ad Litem: Adrienne Schaeffer-James  
135 Meramec Ave. Suite 311  
St. Louis, MO 63105  
Bench or Jury: Bench, Commissioner Kristine A. Kerr  
Description: Petitioner filed a Paternity action in conjunction with a child  
endangerment action filed in Juvenile Court against Respondent.  
Custody of the minor child was awarded to Petitioner in  
accordance with his requests.

8. List up to ten appeals or writs before appellate courts which you have briefed or argued.

Missouri Supreme Court

Mehra v. Mehra, 819 S.W.2d 351 (Mo.banc 1991)

Represented: Respondent-Cross Appellant Rachna Mehra

Opposing Counsel: Christopher Karlen  
7733 Forsyth Blvd., Suite 325  
Clayton, MO 63105

My responsibility: I had primary responsibility for the Brief and I argued before the Missouri Supreme Court

Description: Both parties appealed from the trial court's decree. In addition to issues of child custody, asset valuation, division of marital property, attorney's fees and debt, the Missouri Supreme Court had to determine the application of the Missouri Child Support Guidelines to monthly incomes in excess of \$10,000, the maximum listed on the chart at that time. The matter was remanded to the trial court for further consideration in light of the Court's decision on various issues.

Missouri Court of Appeals, Eastern District

Biggs v. Missouri Commission on Human Rights, 830 S.W.2d 512 (Mo.App. 1992)

Represented: Respondent Thomas Biggs

Opposing Counsel: Robert Franson, Assistant Attorney General  
207 W. High Street  
Jefferson City, MO 65101

My responsibility: I had primary responsibility for the brief and argued before the Missouri Court of Appeals, Eastern District

Description: The Missouri Commission on Human Rights appealed from a trial court order modifying the Commission's award of damages. The judgment of the trial court was affirmed.

Rusk v. Rusk and Public School Retirement System, 859 S.W.2d 751 (Mo.App. 1993)

Represented: Respondent Dona Rusk  
Opposing Counsel: Philip Klawuhn  
Armstrong Teasdale  
7700 Forsyth Blvd., Suite 1800  
Clayton, MO 63105  
My responsibility: I had primary responsibility for the brief and argued before the Missouri Court of Appeals, Eastern District.  
Description: Husband and PSRS challenged Wife's garnishment of Husband's Retirement benefits through PSRS via a Motion to Quash. The trial court overruled the Motion to Quash. The judgment was affirmed.

State v. Driver, 913 S.W.2d 113 (MoApp 1995)

Represented: Appellant Shirl Driver  
Opposing Counsel: Mary Moulton Bryan, Assistant Attorney General  
207 W. High Street  
Jefferson City, MO 65101  
My responsibility: I had primary responsibility for the brief and argued before the Missouri Court of Appeals, Eastern District.  
Description: Ms. Driver was convicted of possession of a controlled substance and sentenced as a persistent offender. The judgment was affirmed.

Dolan v. Dolan, 107 S.W.3d 438 (Mo.App. 2003)

Represented: Respondent Carol Dolan  
Opposing Counsel: Steven Spoeneman  
231 S. Bemiston, Suite 800  
Clayton, MO 63105  
My responsibility: I had sole responsibility for the brief and argued before the Missouri Court of Appeals, Eastern District.  
Description: Husband appealed the judgment dissolving the marriage and denying his motion to enforce a separation agreement entered into by the parties. The judgment was affirmed.

Eveland n/k/a Peretti v. Eveland, 156 S.W.3d 366 (Mo.App. 2004)

Represented: Respondent Michele Eveland  
Opposing Counsel: Theodore Dearing  
211 S. Central Ave.  
Clayton, MO 63105  
My responsibility: I had sole responsibility for the brief and argued before the Missouri Court of Appeals, Eastern District.  
Description: Husband appealed the judgment denying his motion to modify the dissolution decree with regard to the ability to modify retirement benefits based upon the language in the separation agreement. The Court of Appeals found the separation agreement to be ambiguous and remanded the matter for further proceedings.

Colombo v. Brunkhorst, 217 S.W.3d 333 (Mo.App. 2007)

Represented: Appellant Mary Colombo  
Opposing Counsel: Michael McAvoy  
330 Water Street  
Fenton, MO 63026  
My responsibility: I had sole responsibility for the brief and argued before the Missouri Court of Appeals, Eastern District.  
Description: Wife appealed from the trial court's judgment of dissolution of marriage as it related to the classification and distribution of marital property, including retirement accounts. The judgment was reversed and remanded for further proceedings in accordance with Wife's requests.

Cordia v. Cordia, 221 S.W.3d 481 (Mo.App. 2007)

Represented: Respondent Dennis Cordia  
Opposing Counsel: Greg L. Roberts  
215 Chesterfield Business Parkway, Suite A  
Chesterfield, MO 63005  
My responsibility: I had sole responsibility for the brief and argued before the Missouri Court of Appeals, Eastern District.  
Description: Wife appealed the trial court's judgment of dissolution of marriage. The Judgment was affirmed.

8<sup>th</sup> Circuit Court of Appeals :

United States of America v. Carr, 67 F.3d 171 (CA8(MO) 1995).

Represented: Appellant Reginald Carr

Opposing Counsel: Joseph Landolt, United States Attorney  
111 S. 10<sup>th</sup> Street, 20<sup>th</sup> Floor  
St. Louis, MO 63102

My responsibility: I had sole responsibility for the brief and argued before the  
United States Court of Appeals, 8<sup>th</sup> Circuit

Description: Mr. Carr was convicted of first-degree murder on federal property. He  
argued a number of errors on the part of the trial court during that  
trial, including evidentiary rulings and jury selection issues as well as  
ineffective assistance of counsel issues. The conviction was affirmed.  
I filed a Petition for Writ of Certiorari to the United States Supreme  
Court, which was denied.

Mitchell v. Kemna, 109 F.3d 494 (CA8(MO) 1997).

Represented: Appellant Laird Mitchell

Opposing Counsel: Stephen Hawke, Assistant Attorney General  
207 W. High Street  
Jefferson City, MO 65101

My responsibility: I had sole responsibility for the brief and argued before the  
United States Court of Appeals, 8<sup>th</sup> Circuit

Description: Mr. Mitchell appealed from a judgment denying his petition for writ of  
habeas corpus concerning the underlying conviction of second-degree  
robbery. He argued a number of errors including issues of ineffective  
assistance of counsel and violation of his constitutional rights during  
the trial. The judgment was affirmed. I filed a Petition for Writ of  
Certiorari to the United States Supreme Court, which was denied.

10. Have you ever been a party to any litigation?

Theresa Counts Burke v. Kenneth Downey, St. Louis County Associate Circuit Court, Division 41, Case No.: 21C97-12541. Suit to collect attorney fees. Consent Judgment entered 7/16/97.

Theresa Counts Burke v. Dale and Debbie Dennis, St. Louis County Associate Circuit Court, Division 41, Case No. 21C97-21474. Suit to collect attorney fees. Default Judgment entered 11/12/97.

Theresa Counts Burke v. Lonnie and Michelle Clayton, St. Louis County Associate Circuit Court, Division 32, Case No. 00AC-006180. Suit to collect attorney fees. Default Judgment entered 4/26/00.

Theresa Counts Burke v. James Enright, St. Louis County Associate Circuit Court, Division 32, Case No. 00AC-006874 Suit to collect attorney fees. Default Judgment entered 5/3/00.

Theresa Counts Burke v. Max Richardson, St. Louis County Associate Circuit Court, Division 32, Case No. 00AC-013558. Suit to collect attorney fees. Dismissed 12/12/00.

Theresa Counts Burke v. Melinda Swayne, St. Louis County Associate Circuit Court, Division 32, Case No. 01AC-008482. Suit to collect attorney fees. Dismissed 8/15/01.

Theresa Counts Burke v. Steven Truesdell, St. Louis County Associate Circuit Court, Division 32, Case No. 01AC-008477. Suit to collect attorney fees. Dismissed 8/15/01.

Theresa Counts Burke v. Adrienne Buckley, St. Louis County Associate Circuit Court, Division 39, Case No. 03SC-001386. Suit to collect attorney fees. Dismissed 8/12/03.

Theresa Counts Burke v. Kenneth Campbell, St. Louis County Associate Circuit Court, Division 32, Case No.: 03SC-001386. Suit to collect attorney fees. Consent Judgment entered 8/12/03.

Theresa Counts Burke v. Laverne Cunningham, St. Louis County Associate Circuit Court, Division 45, Case No. 03SC-001384. Suit to collect attorney fees. Dismissed 8/13/03.

Theresa Counts Burke v. Brenda Aubuchon-Greer, St. Louis County Associate Circuit Court, Division 33, Case No. 03SC-001383. Suit to collect attorney fees. Dismissed 9/10/03.

Theresa Counts Burke v. Dulce Hays, St. Louis County Associate Circuit Court, Division 31, Case No.: 03SC-001382. Suit to collect attorney fees. Consent Judgment entered 9/15/03.

Theresa Counts Burke v. Carolyn Nance, St. Louis County Associate Circuit Court, Division 45, Case No.: 03SC-001378. Suit to collect attorney fees. Default Judgment entered 9/16/03.

Theresa Counts Burke v. Michael Swisher, St. Louis County Associate Circuit Court, Division 33, Case No. 03SC-001379. Suit to collect attorney fees. Dismissed 9/25/03.

Theresa Counts Burke v. Sammy Brown, St. Louis County Associate Circuit Court, Division 45, Case No. 03SC-001380. Suit to collect attorney fees. Dismissed 10/21/03.

Theresa Counts Burke v. Mary Colombo, St. Louis City Associate Circuit Court, Division 28, Case No. 0722-AC18997. Suit to collect attorney fees. Dismissed 3/17/08.

Theresa Counts Burke v. David Davis, St. Louis County Associate Circuit Court, Division 35, Case No. 08SL-AC006422 Suit to collect attorney fees. Default Judgment entered 6/12/08.

Theresa Counts Burke v. Jeremy Moore, St. Louis County Associate Circuit Court, Division 41, Case No. 08SL-AC23160 Suit to collect attorney fees. Consent Judgment entered 9/4/08.



Theresa Counts Burke attended Southern Illinois University at Edwardsville, Illinois, graduating in 1985 with a B.A. in political science and attended St. Louis University School of Law, graduating in 1988 with a J.D. Ms. Burke was appointed as an Associate Circuit Judge in 2008 and was retained by the voters of the City of St. Louis in 2010 and 2014. Prior to taking the bench, Ms. Burke was in private practice for 20 years, specializing in Family Law and Civil Litigation. She was a Provisional Judge for the Municipal Court of St. Louis City from 2001 until 2008, and was an Adjunct Professor for Fontbonne University OPTIONS program from 2007 until 2012, teaching US and Missouri Constitution. Ms. Burke is a member of the Missouri Supreme Court's Committee on Access to Family Courts and the Missouri Supreme Court's Centralized Fine Collection Bureau Committee.